

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

ASCENT PHARMACEUTICALS, INC.,

Plaintiff,

v.

U.S. DRUG ENFORCEMENT  
ADMINISTRATION,

Defendant.

Civ. No. 2:23-cv-07211 (GRB) (ARL)

**PLAINTIFF ASCENT  
PHARMACEUTICALS, INC.'S  
NOTICE OF VOLUNTARY  
DISMISSAL**

Plaintiff Ascent Pharmaceuticals, Inc., by and through its undersigned counsel of record, hereby gives notice pursuant to Federal Rule of Civil Procedure Rule 41(a)(1)(A)(i) of voluntary dismissal of its claims in the above-captioned action, without prejudice, against Defendant U.S. Drug Enforcement Administration.

Federal Rule of Civil Procedure Rule 41(a)(1)(A)(i) provides that a notice of voluntary dismissal may be granted, without court order, “before the opposing party serves either an answer or a motion for summary judgment.” Defendant has not served an answer or a motion for summary judgment with respect to Plaintiff’s claims.

Dated: New York, New York  
October 2, 2023

Respectfully submitted,

**WALDEN MACHT & HARAN LLP**

/s/ Jim Walden

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*Attorney for Plaintiff Ascent Pharmaceuticals, Inc.*